

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
ELECTRONICALLY FILED
DATE FILED: 10/24/07



NEWTOWN SALES, INC.,

Plaintiff,

Index No. 07 CV 9226 (NRB)

-against-

~~RESTRaining~~ ORDER
EXTENDING TEMPORARY
RESTRaining ORDER

SONAX GmbH & CO. KG,

Defendants.

WHEREAS, plaintiff Newtown Sales, Inc. moved for a temporary restraining order and preliminary injunctive relief before the United States District Court for the Northern District of Illinois on September 27, 2007; and

WHEREAS, the United States District Court for the North District of Illinois on October 2, 2007 issued an order (a copy of which is attached hereto as Exhibit A) temporarily restraining and prohibiting Defendant from terminating the Distributorship Agreement between parties and taking any action inconsistent with its obligations under the Distributorship Agreement (the "Temporary Restraining Order"); and

WHEREAS, the Court has reviewed the papers submitted in connection with the Temporary Restraining Order and the findings therein; and

WHEREAS, this Court finds that such papers and such findings provide adequate and proper basis for the Temporary Restraining Order, as well as for continued temporary injunctive relief; and

WHEREAS, the temporary restraining order is set to expire on October 17, 2007; and

WHEREAS, this case was transferred to this court on October 11, 2007; and

Returned to chambers for scanning on 10.22.07
Scanned by chambers on 10.24.07

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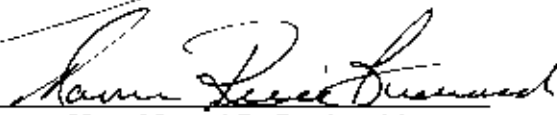
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WHEREAS, a hearing has not yet been held on the motion requesting preliminary injunctive relief;

NOW THEREFORE IT IS HEREBY ORDERED that:

The Temporary Restraining Order be, and the same hereby is, extended until October 29, 2007 and a hearing on a preliminary injunction be held on October ²⁴ 2007 at 11:00 ^{AM} ~~MLAB~~ herein in Courtroom 21A, and it is further

Dated this 16th day of October
New York, New York.


Hon. Naomi R. Buchwald
U.S.D.J.

ORDERED that plaintiff submit a memorandum of law on or before October 22, 2007 addressing the issues of personal jurisdiction over the defendant and why this case ought not to be transferred to Illinois for lack of personal jurisdiction over the defendant, and it is further

ORDERED that the defendant's opposition papers are due no later than 4 p.m. on October 22, 2007, and it is further

ORDERED that a copy of this Order and any previous papers in this case that have not already been served on defendant and ^{Bagg Rock Associates LLP} be served today by ^{an} overnight delivery method that provides proof of delivery

2 So Ordered.


Naomi R. Buchwald, U.S.D.J.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NEWTOWN SALES, INC.,

Plaintiff,

-against-

SONAX GmbH & CO. KG,

Defendants.

Index No. 07 CV 9226

AFFIRMATION OF SERVICE

SONIA IZURIETA affirms under penalty of perjury that:

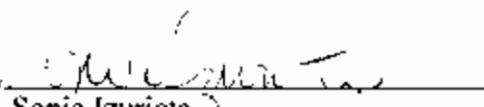
1. I am over the age of eighteen years, not a party to this action, and an employee of the firm of Dewey Pegno & Kramarsky LLP, counsel for Plaintiff Newton Sales, Inc.

2. On the 16th day of October 2007, I caused a copy of the foregoing **Order Extending Temporary Restraining Order** to be served by overnight international DHL and domestic Federal Express on:

Sonax GmbH & Co. KG
Münchener Strasse 75
D-86633 Neuburg (Donau)
Germany
Attention: Mr. Heiko Werle

Henry Roske, Esq.
Bagg Roske & Associates LLP
500 Fifth Avenue, Suite 4810
New York, NY 10110

Dated: New York, New York
October 16, 2007


Sonia Izurieta